

1 JEFFREY S. BUCHOLTZ
2 Acting Assistant Attorney General
3 JOSEPH P. RUSSONIELLO
4 United States Attorney
5 CARL J. NICHOLS
6 Deputy Assistant Attorney General
7 JOSEPH H. HUNT
8 Director, Federal Programs Branch
9 VINCENT M. GARVEY
10 Deputy Director, Federal Programs Branch
11 MICHAEL P. ABATE
12 Trial Attorney
13 michael.abate@usdoj.gov
14 U.S. Department of Justice
15 Civil Division, Federal Programs Branch
16 20 Massachusetts Avenue, NW
17 Washington, DC 20001
18 Phone: (202) 616-8209
19 Fax: (202) 616-8470

11 *Attorneys for the United States of America*

12 [Counsel for Plaintiffs listed on next page]

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 San Jose Division

16 BINYAM MOHAMED;)
17 ABOU ELKASSIM BRITEL;)
18 AHMED AGIZA;)
19 MOHAMED FARAG AHMAD)
20 BASHMILAH;)
21 BISHER AL-RAWI)
22 Plaintiffs,)
23 v.)
24 JEPPESEN DATAPLAN, INC.)
25 Defendant.)

26 Case No. C-07-02798-JW

27 STIPULATION AND [PROPOSED]
28 ORDER RE: ADMINISTRATIVE
Motion to Exceed Page Limit

28 Stipulation and [Proposed] Order Re: Administrative
Motion to Exceed Page Limit, Case No. C-07-02798-JW

1 STEVEN M. WATT (*pro hac vice*)
2 swatt@aclu.org
3 BEN WIZNER (SBN 215724)
4 bwizner@aclu.org
5 AMERICAN CIVIL LIBERTIES
6 UNION FOUNDATION
7 125 Broad Street, 18th Floor
8 New York, NY 10014
9 Phone: (212) 549-2500
10 Fax: (212) 549-2651

11 *Attorneys for Plaintiffs*

12 ANN BRICK (SBN 65296)
13 abrick@aclunc.org
14 ACLU FOUNDATION OF
15 NORTHERN CALIFORNIA
16 39 Drumm Street
17 San Francisco, CA 94111
18 Phone: (415) 621-2493
19 Fax: (415) 255-1478

20 *Attorneys for Plaintiffs*

STIPULATION AND PROPOSED ORDER

WHEREAS on October 19, 2007, the United States filed (1) a Motion to Intervene, and (2) a Motion to Dismiss, or in the Alternative, for Summary Judgment, in this action;

WHEREAS on December 14, 2007, plaintiffs opposed the United States' Motion to Dismiss or, in the Alternative, for Summary Judgment, and took no position on the United States' Motion to Intervene;

WHEREAS defendants seek leave of the Court to exceed by no more than five (5) the page limit set by Local Rule 7-4(b) on its reply in support of the Motion to Dismiss or, in the Alternative, for Summary Judgment;

WHEREAS, counsel for plaintiffs do not oppose this motion;

THEREFORE, plaintiffs and the United States, through their undersigned counsel, hereby stipulate and ask that the Court make this stipulation an order of the Court:

The United States shall be permitted to file a reply in support of its Motion to Dismiss or, in the Alternative, for Summary Judgment not to exceed twenty (20) pages.

1 Dated: January 18, 2008

UNITED STATES DEPARTMENT OF JUSTICE

2 By: /s/ Michael P. Abate
Michael P. Abate

3 Attorneys for United States of America

4 Dated: January 18, 2008

5 AMERICAN CIVIL LIBERTIES UNION FOUNDATION

6 By: /s/ Ben Wizner
Ben Wizner

7 Attorneys for Plaintiffs

8 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of
9 this document has been obtained from Benjamin Wizner

11 [PROPOSED] ORDER

13 PURSUANT TO STIPULATION, IT IS SO ORDERED

15 Dated: _____

16 HON. JAMES WARE
17 UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that the foregoing STIPULATION AND [PROPOSED] ORDER RE: ADMINISTRATIVE MOTION TO EXCEED PAGE LIMIT will be served by means of the Court's CM/ECF system, which will send notifications of such filing to the following:

American Civil Liberties Union
Foundation of Northern California Inc.
Ann Brick
39 Drumm Street
San Francisco, CA 94111

American Civil Liberties Union
Jameel Jaffer
Steven R Shapiro
Steven M. Watt
Benjamin Elihu Wizner
125 Broad Street
18th Floor
New York, NY 10004

International Human Rights Clinic
Washington Square Legal Services, Inc.
Margaret L. Satterthwaite
NYU School of Law
245 Sullivan Street
New York, NY 10012

Joseph Scott Klapach
Attorney at Law
355 S. Grand Ave., #3500
Los Angeles, CA 90071-1560

Munger Tolles & Olson
Daniel Paul Collins
Henry Weissman
355 So Grand Ave Ste 3500
Los Angeles, CA 90071-1560

National Litigation Project-Allard K. Lowenstein
International Human Rights Clinic
Hope R Metcalf
Yale Law School
127 Wall Street
New Haven, CT 06520

Reprise
Zachary Philip Katzenelson
Clive Stafford Smith
PO Box 52742
London, England, UK EC4P 4WS

/s/ Michael P. Abate

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